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INTERBOND CORPORATION OF AMERICA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

This Document Relates To Individual Case No.
3:11-cv-03763-SI (N.D. Cal.)

INTERBOND CORPORATION OF
AMERICA,

Plaintiffs,

vs.

AU OPTRONICS CORPORATION, et al.,

Defendants.

Case No. 3:11-cv-03763-SI (N.D. Cal.)

Master File No. 3:07-md-01827-SI (N.D. Cal.)

MDL No. 1827

**STIPULATION AND ~~[PROPOSED]~~
ORDER WITHDRAWING JOINT
MOTION TO DISMISS, NEC'S MOTION
TO DISMISS, SANYO CE'S MOTION TO
DISMISS, AND EXTENDING TIME TO
RESPOND TO AMENDED COMPLAINT**

1 Plaintiff, Interbond Corporation of America d/b/a BrandsMart (“Plaintiff”), and
 2 Defendants, through the undersigned counsel, request that the Court enter the following order to
 3 withdraw (1) Defendants’ Joint Motion to Dismiss Plaintiff’s complaint, (2) Defendants NEC
 4 Corporation, NEC Corporation of America, NEC Display Solutions of America, Inc., NEC
 5 Electronics America, Inc., and NEC LCD Technologies, Ltd.’s (“NEC”) Motion to Dismiss
 6 Plaintiff’s complaint, and (3) Defendant Sanyo Consumer Electronics, Co., Ltd.’s (“Sanyo CE”) Motion to Dismiss, and extend Defendants’ time to respond to the amended complaint that
 7 Plaintiff will file on or before November 1, 2011.

9 WHEREAS, on October 4, 2011, Plaintiff and Defendant Mitsui & Co. (Taiwan), Ltd.
 10 (“Mitsui Taiwan”) entered into a stipulation giving Mitsui Taiwan until December 1, 2011 to
 11 answer, move, or otherwise respond to Plaintiff’s complaint.

12 WHEREAS, on October 6, 2011, certain Defendants filed a joint motion to dismiss
 13 Plaintiff’s complaint in this action (MDL Dkt. No. 3850), and Defendants NEC and Sanyo CE
 14 filed separate motions to dismiss Plaintiff’s complaint (MDL Dkt. Nos. 3852 and 3853,
 15 respectively) (the “Motions”);

16 WHEREAS the hearing on the Motions is scheduled for November 18, 2011;

17 WHEREAS Plaintiff, although it opposes the Motions, will exercise its right under Federal
 18 Rule of Civil Procedure 15(a) to file a First Amended Complaint in lieu of filing an opposition to
 19 the Motions;

20 WHEREAS the parties agree that the briefing dates and hearing associated with the
 21 Motions should be withdrawn and that Plaintiff will file its First Amended Complaint after the
 22 existing deadline to file its oppositions to the Motions;

23 WHEREAS the parties further agree that Plaintiff may have until November 1, 2011 to file
 24 a First Amended Complaint and all Defendants may have until December 5, 2011 to respond to the
 25 First Amended Complaint, that Plaintiff may have until December 23, 2011 to oppose or otherwise
 26 respond to Defendants’ response, and that Defendants may have until January 9, 2012 to reply to
 27 such opposition;
 28

1 WHEREAS the parties further agree that the hearing on any responses made by Defendants
2 may be noticed for January 20, 2012;

3 WHEREAS the parties further agree that, in the alternative, the Defendants may have 60
4 days from the date the First Amended Complaint is filed to answer said complaint;

5 THEREFORE, Plaintiff, by its counsel, and Defendants, by the undersigned counsel,
6 stipulate and agree as follows:

7 1. The Motions shall be withdrawn and the briefing schedule and hearing date
8 stricken.

9 2. Plaintiff shall file a First Amended Complaint on or before November 1, 2011.

10 3. All Defendants shall respond to the First Amended Complaint by December 5,
11 2011.

12 4. Plaintiff shall oppose or otherwise respond to Defendants' filings by December 23,
13 2011.

14 5. Defendants shall submit any replies by January 9, 2012.

15 6. The hearing on any responses made by Defendants shall be noticed for January 20,
16 2012.

17 7. In the alternative, all Defendants shall have 60 days from the date the First
18 Amended Complaint is filed to answer said Complaint.

19 **IT IS SO STIPULATED.**
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1 DATED: October 20, 2011

/s/ William A. Isaacson

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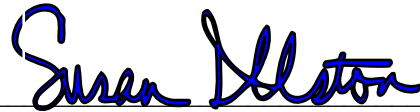
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1 Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of
2 this document has been obtained from stipulating defendants.

3 **IT IS SO ORDERED.**

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5 Dated: 10/24, 2011

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8 Susan Illston, United States District Judge
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